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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 9 April 1996 from the Permanent Representative of the Republic of Croatia to the United Nations Office at Geneva, addressed to the Chairman of the Commission on Human Rights

Upon instruction of my Government, I have the honour to submit* a document regarding the situation of Croats in the Federal Republic of Yugoslavia (Serbia and Montenegro) which contains information relevant for the consideration of item 10 of the agenda of the Commission on Human Rights.

Today the status and the situation of Croats in the Federal Republic of Yugoslavia (Serbia and Montenegro) and particularly in Vojvodina are appalling, as they are excluded from the legal system of the country and are not recognized as a minority.

We would kindly like to request that this document be published as an official document of the fifty-second session of the Commission on Human Rights under item 10.

(Signed) Neven MADEY

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* The annex is reproduced in the language of submission only.

Annex

Croats in the Federal Republic of Yugoslavia (Serbia and Montenegro)

Republic of Croatia is very concerned about the very difficult situation of Croats in FRY. Information given below has been collected from the Croatian Government Office in Belgrade, the Democratic Union of Croats in Voivodina and the Helsinki Committee for Human Rights operating in Serbia.

As sizeable ethnic communities in FRY (Serbia and Montenegro) Croats live for the most part in Bačka and Sirmium. Voivodina and Kosovo. In Montenegro Croats live in their historic area of Boka Kotorska. It should be noted that Voivodina and Boka Kotorska were never a part of the Serbian state territory.

Today the status of Croats in FRY is appalling. As a national minority they are excluded from the legal system there, nor recognized as a minority. On 9 July 1994 Ms. Margit Savović, FRY Minister for Human Rights, officially told them that they enjoyed neither a minority status nor a national status. Croats are thus denied the basic human rights and freedoms and are, at the same time, exposed to systematic pressure. The responsible FRY authorities argue that the question of "new minorities" is to be dealt with through inter-state agreements only.

Without elaborating on history, which shows that the number of Croats in FRY was continuously declining up to 1991, the fact is that the entire Croatian villages in Sirmium were forcibly cleansed of Croats over the period 1991-1993 and that cases of individual departures of Croats to Croatia have been recorded (as a result of forcible mobilization for war against Croatia and Bosnia-Herzegovina, threats, dismissals from jobs and other forms of pressure).

The 1991 census, according to which Serbia and Montenegro were populated by nearly 250,000 Croats, cannot be considered reliable, manipulated as it was in multiple ways. For example, some sub-ethnic groups (Bunjevac, Shokatz) of Croatian nationality were designated as national groups, although no such national entities exist. Some Croats, due to problematic nationality relations there, declared themselves Yugoslavs as a protective measure designed to ensure some kind of status in the community.

According to the information provided by the Helsinki Committee for Human Rights operating in Serbia, about 45,000 Croats were expelled over the period 1995 and 5-6,000 moved to Croatia for family reunions. From May to October 1995 another 5,000 Croats abandoned the area under the terrorist pressure exerted by the activists of the Serbian National Party and the Serbian National Renewal Party. On more occasions they publicly called for lynching of Croats.

The inequality of Croats in FRY is manifested at more levels. They do not have their educational institutions. Those who commit crimes against Croats are hardly prosecuted. So far only two persons have been convicted of crimes committed against Croats, although there have been murders, bomb attacks, expulsions, arson, dismissals for reasons of nationality, etc.

According to the information provided by the Democratic Union of Croats in Voivodina, from 21 July 1991 to 1 August 1995 the cases of violence against Croats in Voivodina include 5 murders, 2 kidnaps, 14 bodily injuries, 5 public calls for lynching, 36 bomb attacks and acts of setting fire to private property, 24 destructive attacks on religious and cultural institutions, 6 robberies and several hundred forcible occupations of homes. However, considering the practice of intimidation, it is believed that such occurrences have been more numerous than recorded.

The local police did not even try to clarify some murders: Mijat Štefanac - Hrtkovci (1993), Nikola Oskomić, Agica Oskomić and Marija Tomić from Kukujevac (1993), Dušan Bičanić from Petrovaradin (1993), Živko Mitrić from Sremska Mitrovica (1995). On the other hand, they are very eager and waste no time in putting Croats on trial and pronouncing severe sentences out of any proportion.

Upon expiry of their personal documents, the Croats who were not born in the territory of FRY must resolve the question of their citizenship with the competent authorities being very strict and restrictive to them. Such attitude leads to the alien's status with all the rest going with it: they must obtain a work and stay permit, otherwise they lose their jobs and the right to own real estate. The ultimate goal is their involuntary departure.

The situation has changed for worse after the liberation of the occupied Croatian territories in Operations "Lightning" and "Storm", because a number of Serbian refugees have been arriving in areas populated by Croats. Catholic churches are being blasted, the clergy and nuns terrorized, because over the past several years it was they alone who stood for Croat interests in these areas, who were issuing documents and doing some paraconsular jobs accepted by the authorities of the Republic of Croatia.

Other special methods of intimidation are aimed at children. On the way back from school they are bombarded with offensive words, which in fact is designed to bring pressure to bear on their parents. The Croatian children are also isolated in schools, they are forced to glorify the Serbian nationhood or reprimanded for not having mastered such lessons. For days frightened people keep themselves locked in their homes.

Some prominent Croats were taken to Fruška Mt. for bullying, dragged out of their cars without their clothes on, usually at very low temperatures.

The perpetrators of such ethnic cleansing continue to occupy their positions, which breeds the atmosphere of fear. Croats were forcibly mobilized and there are witnesses among those who took part in the attacks on Vukovar saying that Croats were driven to the front-line and often shot in the back. Mobilization is experienced by Croats as a form of ethnic cleansing, intended as it is solely for the defence of FRY's frontiers.

The ties with their country of origin are unsatisfactory - they do not receive any newspapers from Croatia, they cannot watch the Croatian television. The greatest problem are travels to Croatia, because every departure or return involves a risk.

The constituencies are split in a way which makes it impossible for Croats to run for election. Still worse, running for election is a dangerous undertaking, because it exposes the candidates to threats and pressures.

On 31 May 1991 the Democratic Union of Croats in Voivodina came up with a motion to the Parliament of Serbia requesting it to solve the status and cultural autonomy of Croats, but this was completely ignored by the authorities. The Croatian representatives emphasize the need for a dialogue with the authorities of Serbia and FRY to deal with a series of issues, first of all those concerning their status and an end to demonizing the Croats, with all the repercussions accompanying it.

The position of the Croatian community is the worst of all other non-Serb national communities, exposed as it is to planned measures designed to obliterate it, especially manifested in the period since the dissolution of SFRY and Serbia's aggression against Croatia and Bosnia-Herzegovina. That is why the international community of civilized European nations should take all available measures, including preconditions for recognizing the present FRY, as well as through efficient guarantees for the preservation of the ethnic variety and national rights of non-Serb peoples, to prevent further ethnic cleansing in the area of FRY. For it is not only by the grossly genocidal actions that ethnic cleaning can be practiced. The Croats living in FRY bear witness to more subtle but no less efficient methods of ethnic cleansing.